UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION	:	MDL Docket No. 1850 (All Cases)
	:	Case No. 07-2867 (NLH)
	:	**SUPPLEMENTAL DECLARATION OF DR. GEORGE MCCABE IN SUPPORT OF DEFENDANTS' RETRIEVAL PLANS FOR ORGANIZED RECALLED PRODUCT**

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Dr. George P. McCabe affirms the following under penalty of perjury:

1. I am currently Professor of Statistics at Purdue University, and a Fellow of the American Statistical Association. I received a B.S. in Mathematics from Providence College and a Ph.D. in Mathematical Statistics from Columbia University. I have continuously taught statistics at Purdue University from 1970 until the present day. I have authored three textbooks and one hundred fifty seven articles on issues related to statistics. Among other courses, I have taught sampling and sampling techniques at the graduate and undergraduate level. A copy of my curriculum vitae is Attachment A to my Declaration filed December 11, 2007 in support of Defendants' Unopposed Motion to Limit the Retention of Organized Product, Raw Wheat Gluten and Unorganized Inventory ("Preservation Motion").

2. This declaration supplements my March 26, 2008 Declaration in support of Defendants' Retrieval Plans for Organized Product, in order to clarify information raised there

**Exhibit B to
Retrieval Motion**

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at the request of Plaintiffs' counsel in the above-referenced litigation. The information stated in the March 26, 2008 Declaration, as well as my December 11, 2007 Declaration filed in this litigation, are incorporated here as if fully stated.

3. In my March 26, 2008 Declaration, I noted the potential reduction in the margins of error for the estimates that could be achieved by combining information from different SKU dates for the estimation of standard deviations. In the formula for the margin of error, there is a factor of $\sqrt{3}$. One part of this comes from the imprecision in the estimate of the mean and two parts come from the imprecision in the estimate of the standard deviation. If the second part could be made negligible by combining information from a potentially large number of similar SKU dates (i.e., multiple SKU dates for the same or similar recipes) , then the margin of error would become $\sqrt{1}/\sqrt{3}=0.58$ times the previously calculated value (i.e., see ¶ 11 of my 12/11/07 Declaration). In other words, the resulting net reduction in the margin of error would be 42%. The margins of error continue to correspond to 95% statistical confidence, the usual level of confidence used in applied work.

4. In my March 26, 2008 Declaration, I identified my recommended retrieval plans for certain Defendants for their Organized Product that is stored on over 24,000 pallets. As stated in that Declaration, it is my opinion that those retrieval plans yield statistically sufficient samples to enable accurate inferences to be drawn about the distribution of the percent of contamination, if any, in the original populations. It is further my opinion that any gain in precision to be obtained by retaining additional cases per pallet (even if additional cases are selected from within various pallets, e.g., from the bottom or middle of a pallet) will be marginal at best. This opinion is based on my understanding of the production process as stated in my

March 26, 2008 Declaration and my informed opinion that the major source of variation is pallet-to-pallet variation and that within pallets, the product is quite homogeneous. An intuitive version of the idea is as follows: if the pallet-to-pallet variance is 100 and the within pallet variance is 1, producing a total of 101, then by reducing the within pallet variation, by whatever means, to a smaller value can at best reduce the total variance to 100. So, the effect of taking two units from each of two cases versus four units from one case will have a negligible effect on the final margin of error, the size of which is primarily determined by the pallet-to-pallet variation.

5. Moreover, taking only two units per case would increase the number of cases retrieved from 94,000 to over 500,000 cases. In my expert opinion, such a sample size is unnecessary to achieve the goals of these sampling and retrieval plans.

6. The opinions set forth here and the retrieval plans I propose, which involve both systematic and cluster sampling methods (systematic as to the selected cases and cluster as to the selected units from those cases), are more than sufficient to estimate contamination, if any, for the SKU dates listed to a reasonable degree of scientific certainty.

7. Finally, the opinions expressed in this Declaration are my own, and do not reflect those of Purdue University.

George P. McCabe

Sworn to and subscribed in my presence by the said George P. McCabe, this 8th

day of April 2008.

Sally J. Goeke
Notary Public

My Commission Expires: 8/7/14

"OFFICIAL SEAL"
SALLY J. GOEKE
Notary Public, State of Indiana
My Commission Expires Aug. 7, 2014

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